THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.7278 of 2006

Dated 08-02-2007

Between:
S.Raju.

..... PETITIONER

AND

The Station House officer, Bodhan Police Station, Bodhan, Bodhan Mandal, Nizamabada District & others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.7278 of 2006

O R D E R:

This Writ Petition is filed to declare the action of the respondents in not registering a crime and in not taking any action pursuant to the complaint made to the 1st respondent dated 26-03-2006 as illegal and arbitrary.

The only grievance of the petitioner is that the first respondent-Station House Officer, Bodhan Police Station, has not registered a case on a complaint lodged by him.

Counter affidavit has been filed on behalf of the respondents stating that based on a complaint lodged by the petitioner, a case in Cr.No.137 of 2006, for an offence under Section 342 IPC, was registered on 27-03-2006 itself and after investigation, the case was referred as false. It is stated that, in fact, on a complaint lodged by one Mr.Chidura Gangadhar Gupta on 08-04-2006 against the petitioner and others, a case in Cr.No.155 of 2006 was registered for the offences punishable under Sections 420, 504, 506 read with 109 IPC.

In the circumstances, I am of the opinion that the only course open to the petitioner is to take appropriate action under the provisions of the Code of Criminal Procedure either by filing a protest petition or by filing a private complaint under Section 199 Cr.P.C. The Writ Petition is accordingly dismissed. No costs.

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08-02-2007

usd